



Australian Government
Anti-Dumping Commission

Application for a
review of
anti-dumping measures

APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901* FOR A REVIEW OF ANTI-DUMPING MEASURES

In accordance with section 269ZA of the *Customs Act 1901*, I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1. ☐ **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- ☐ normal value
- ☐ export price
- ☐ non injurious price
- ☐ subsidy

The variable factors review is in relation to:

- ☐ a particular exporter (*if so provide name and country details*)
- ☐ exporters generally

or

2. ☒ **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- ☒ the dumping duty notice
- ☐ the countervailing duty notice
- ☐ the undertaking

The revocation review is in relation to:

- ☐ a particular exporter (*if so provide name and country details*)
- ☒ exporters generally

NOTE

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:



Name:

CRAIG CLARKE

Position:

REGULATORY AFFAIRS & Quality Assurance Manager

Company:

Orica Australia Pty Ltd

ABN:

99 004 117 828

Date:

25.06.2014

For the public record.

APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901* FOR A REVIEW OF ANTI-DUMPING MEASURES

Sodium Hydrogen Carbonate (Sodium Bicarbonate) – exported from the Peoples Republic of China.

1. Company details of the applicant seeking revocation of measures.

Orica Australia Pty Ltd (99 004 117 828)

1 Nicholson Street East Melbourne Victoria

PO Box 4311 Melbourne Victoria 3001

<https://www.orica.com/>

2. Contact Person.

Dr Craig Clarke

Regulatory Affairs and Quality Assurance Manager

03 9665 7543

Craig.clarke@orica.com

3. Orica's interest as an affected party.

Orica Australia Pty Ltd is involved in the importation of sodium bicarbonate from the Peoples Republic of China into Australia. The imported product is supplied into the Australian stock feed market for use primarily in chicken and cattle (dairy and meat) feed.

4. Reasons for revocation of measures:

The administrators appointed for the only Australian manufacturer of sodium bicarbonate, Penrice Soda Holding Ltd, announced on the 24th of June 2014 that the Penrice Osborne chemical plant will cease operation effective immediately (please see attached ASX announcement). The Penrice Osborne (South Australia) chemical plant is the only Australian or South East Asian operation that has been producing sodium bicarbonate in recent history (please see Penrice company overview: <http://www.penrice.com.au/>).

Following the closure of the Penrice Soda Holdings operations at the Osborne site there is no current injury to Australian industry, and there is unlikely to be a recurrence of injury if the measures were to be revoked. A competitive price for sodium bicarbonate will benefit the local agricultural industry.

5. Details of the current anti-dumping measure(s) the subject of this review application.

- tariff classification: 2836.30.00
- the countries or companies; Peoples Republic of China, various companies.
- Specified date of publication of the measure: The IDD was initially imposed on 3-November 2005 and were continued for a further 5 years in 2010.

MCN+

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CORPORATE RECOVERY

24 June 2014

Company Announcement Office
Australian Stock Exchange ("ASX")
Level 4, 20 Bridge Street
Sydney NSW 2000

Dear Sir/Madam

Penrice Soda Holdings Limited (Administrators Appointed)
("PSH")
ACN 109 193 419
ASX: PSH

I refer to the appointment of joint and several Administrators to PSH on 11 April 2014.

The Administrators of PSH announced today that following the withdrawal of the preferred bidder from the sale process, Penrice's Osborne chemical plant will cease operations effective immediately. The Administrators are currently seeking alternative strategies to realise residual value from the Osborne plant.

The Administrators have received final offers for Penrice's limestone quarry in Angaston and will continue negotiations with bidders over the coming days in an effort to conclude a sale contract. The Angaston quarry will continue operations during the intervening period.

If you have any questions about this announcement please contact Lara Guerriero on (08) 8468 3700.

Yours faithfully
Penrice Soda Holdings Ltd (Administrators Appointed)



Sam Davies
Joint and Several Administrator

E24.2-140624-PENRSHO01-ASX-LG

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AUSTRALIA'S SOLE PRODUCER OF SODA ASH
AND SODIUM BICARBONATE, VITAL INGREDIENTS
IN PRODUCTS RANGING FROM WINE BOTTLES
TO WASHING POWDER AND STOCK FEED

Penrice Soda Holdings

Penrice Soda Holdings Limited is an Australian company. It holds leading positions in the supply of soda ash, sodium bicarbonate, quicklime and limestone in its domestic market and exports sodium bicarbonate to 25+ nations.

Headquartered in Osborne, (Adelaide) South Australia, the company employs 174 people. It has been listed on the ASX Securities Exchange since 2005, while the company's history dates back to 1935.

In the face of increasingly difficult domestic trading conditions and increasing costs for its soda ash business, Penrice implemented a transformation strategy which saw it close its soda ash production facility at Osborne in June 2013. The company's soda ash for Penrice's requirements for Sodium bicarbonate production is now provided through the importation of American Soda ash. The supply of Soda ash to the domestic market will be facilitated through Penrice's partnership with SASS Victoria Australia Pty Ltd. This joint venture is called Pro Asia Pacific.

Today, Penrice is the only manufacturer in Australia and East Asia of sodium bicarbonate, which is now sold by the Company. Sodium bicarbonate demand continues to grow and develop; especially in the Asia Pacific region. Demand for Penrice Sodium bicarbonate outside Australia is the plant. Penrice is also a significant supplier of quicklime and civil construction materials. Key end-users of quicklime throughout Australia and overseas include water treatment, manufacturing, mining, food, animal feed, metal processing organisations and large locally based infrastructure projects.

With the closure of the Soda ash plant, Penrice continues to produce lime kilns with quality limestone at Angaston. The company's growth product, Quick lime.

Penrice's strategy is to build on its reputation as a quality supplier, using its expertise and technology to move into higher value markets and to penetrate new markets while improving operating efficiencies. The company is positioned to utilise domestic and global supply chains to the benefit of all stakeholders.

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